

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: H. Takeda et al. : Art Unit:  
Serial No.: To Be Assigned : Examiner:  
Filed: Herewith :  
FOR: DATA TRANSMITTING APPARATUS,  
DATA RECEIVING APPARATUS AND DATA  
TRANSMISSION CONTROL APPARATUS :  
:

**Continuation of:**

Applicant: H. Takeda et al. : Art Unit: 2732  
Serial No.: 09/586,915 : Examiner:  
Filed: June 5, 2000 :  
FOR: DATA TRANSMITTING APPARATUS,  
DATA RECEIVING APPARATUS AND DATA  
TRANSMISSION CONTROL APPARATUS :  
:

## PRELIMINARY AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

SIR :

Prior to examination, please amend the above-identified application as follows:

**IN THE SPECIFICATION:**

After the title, please rewrite the first paragraph to read as follows:

--THIS APPLICATION IS A CONTINUATION APPLICATION OF  
APPLICATION SERIAL NO. 09/586,915, FILED JUNE 5, 2000, WHICH IS A  
CONTINUATION APPLICATION OF APPLICATION SERIAL NO.  
08/945,629, FILED APRIL 23, 1998, WHICH IS BASED UPON  
PCT/JP96/01123 FILED APRIL 25, 1996.--.

IN THE DRAWINGS

Please delete the last three (3) sheets of figures, also labeled as "Notations".

IN THE CLAIMS:

Please cancel claim 1 - 23. Please add the following new claim:

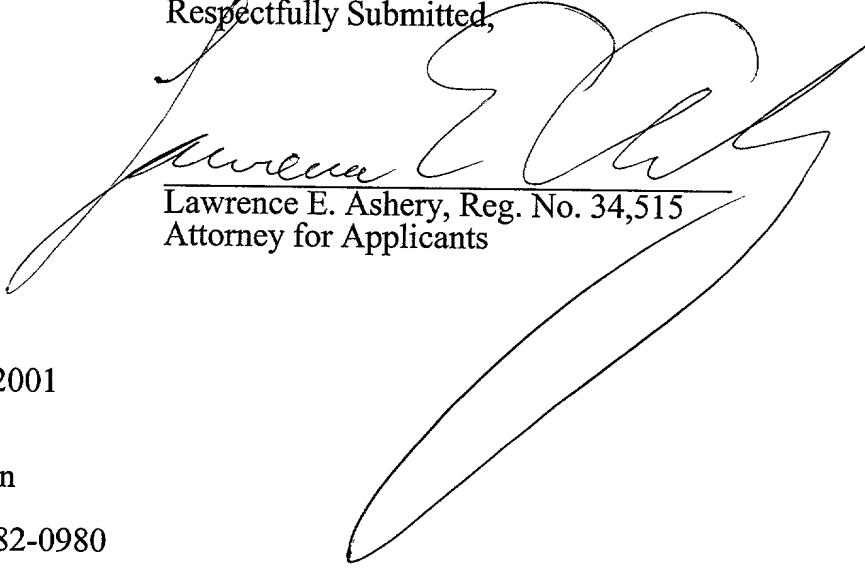
1        24. (Newly Added) Apparatus for transmitting data on a transmission  
2 medium, comprising:

3              propagation delay identifier storage means for storing a propagation delay  
4 identifier which is used for bandwidth allocation;

5              maximum data size storage means for storing a maximum data size value  
6 which corresponds to maximum size of data included in a packet transmitted on  
7 said transmission medium; and

8              a pathway coupled between a) a further apparatus and b) said maximum  
9 data size storage means so that said maximum data size value is writable by a  
10 further apparatus.

Respectfully Submitted,

  
Lawrence E. Ashery, Reg. No. 34,515  
Attorney for Applicants

LEA/lm/b  
Dated: November 29, 2001

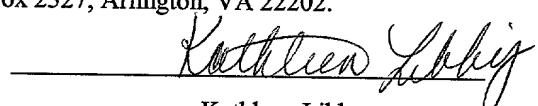
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Kathleen Libby

## VERSION WITH MARKINGS TO SHOW CHANGES MADE

**SPECIFICATION:**

Specification at page 1, line 4:

THIS APPLICATION IS A CONTINUATION APPLICATION OF  
APPLICATION SERIAL NO. 09/586,915, FILED JUNE 5, 2000, WHICH IS A  
CONTINUATION APPLICATION OF APPLICATION SERIAL NO.  
08/945,629, FILED APRIL 23, 1998, WHICH IS BASED UPON  
PCT/JP96/01123 FILED APRIL 25, 1996.

**CLAIMS:**

Claims 1-23 have been canceled.

Claim 24 has been added.

WHAT IS CLAIMED:

1. (Amended) A data transmitting apparatus, wherein  
said data transmitting apparatus is a transmitting apparatus  
acquiring a part of the bandwidth of a communication medium before  
5 transmission and transmit it and comprising:

bandwidth detection means for detecting a bandwidth of data  
inputted to said transmitting apparatus;

necessary bandwidth calculation means for calculating a  
necessary bandwidth for said communication medium from said bandwidth  
10 outputted from said bandwidth detection means;

transmission condition judge means for comparing an acquired  
bandwidth acquired from said communication medium with said necessary  
bandwidth outputted from said necessary bandwidth calculation means and  
judging if said necessary bandwidth exceeds said acquired bandwidth;

15 transmission control means for outputting said data only while  
the judge result outputted from said transmission condition judge means  
indicates that said necessary bandwidth does not exceed said acquired  
bandwidth and stopping said data output while the judge result outputted  
from said transmission condition judge means indicates that said necessary  
20 bandwidth exceeds said acquired bandwidth; and

transmission means for transmitting said data outputted from  
said transmission control means to said communication medium.

2. (Amended) A data transmitting apparatus as recited in claim 1,  
25 comprising:

bandwidth information adding means for adding a bandwidth  
outputted from said bandwidth detection means to the data outputted from  
said transmission control means as bandwidth information and outputting  
only said bandwidth information while said data is not supplied from said  
30 transmission control means; and wherein

said transmission means transmits said data added with said  
bandwidth information outputted from said bandwidth information adding

means or said bandwidth information to said communication medium.

3. (Amended) A data receiving apparatus comprising:

reception means for occupying a part of the bandwidth of a

5 communication medium and for receiving transmission information transmitted only while the bandwidth of data to be transmitted does not exceed the acquired bandwidth and stopped to transmit said data while it is indicated that said necessary bandwidth exceeds said acquired bandwidth, from said communication medium;

10 transmission stop detection means for inputting said data received at said reception means and detecting that said transmitting apparatus stops transmission by detecting that said data does not arrive for a designated period; and

15 processing means for processing to correspond according to the detection result detected at said transmission stop detection means.

4. A data receiving apparatus as recited in claim 3,

wherein:

said processing means directs to stop a recording action to a

20 recording apparatus to record the received data when said transmission stop detection means detects that said transmitting apparatus stops transmission.

5. A data receiving apparatus as recited in claim 3,

25 wherein:

said processing means directs to stop a reproducing action to a reproducing apparatus to reproduce the received data when said transmission stop detection means detects that said transmitting apparatus stops transmission.

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6. (Amended) A data receiving apparatus comprising:

reception means for receiving said data sent from a transmitting

apparatus acquiring a part of the bandwidth of a communication medium before transmission, transmitting said data added with bandwidth information while the bandwidth of data to be transmitted does not exceed the acquired bandwidth and receiving transmission information which stops  
5 outputting said data added with the bandwidth information when said data bandwidth exceeds the acquired bandwidth and transmits only said bandwidth information, from said communication medium;

transmission stop detection means for inputting said data received at said reception means and detecting that said transmitting  
10 apparatus stops transmission of said data by detecting that said data does not arrive for a designated period and only bandwidth information arrives;

bandwidth information separation means for inputting said data received at said reception means and added with said bandwidth information and separating and outputting said bandwidth information  
15 added from said data; and

processing means for processing to correspond according to the detection result detected at said transmission stop detection means and at least one of said bandwidth information separated at said bandwidth information separation means.

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7. A data receiving apparatus as recited in claim 6,  
wherein:

said processing means directs to stop a recording action to a recording apparatus to record the received data when said transmission stop  
25 detection means detects that said transmitting apparatus stops transmission.

8. A data receiving apparatus as recited in claim 6,  
wherein:

30 said processing means directs to stop a reproducing action to a reproducing apparatus to reproduce the received data when said transmission stop detection means detects that said transmitting apparatus

15. (Deleted)

16. (Amended) A data transmitting apparatus comprising:  
measurement means for measuring a data size arriving during a  
5 designated fixed period;

bandwidth determination means for determining a transmission  
bandwidth from the data size measured at said measurement means; and  
transmission means for transmitting according to the  
transmission bandwidth determined at said bandwidth determination  
10 means; and wherein

said bandwidth determination means adds a data size with a  
designated rate for the data size measure at said measurement means and  
determines a transmission bandwidth according to the data size obtained by  
said addition.

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17. (Amended) A data transmitting apparatus comprising:  
measurement means for measuring a data size arriving during a  
designated fixed period;

bandwidth determination means for determining a transmission  
bandwidth from the data size measured at said measurement means; and  
transmission means for transmitting according to the  
transmission bandwidth determined at said bandwidth determination  
means; and  
wherein

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said measurement means measures a data size by counting the  
number of packets having a fixed length arriving during a designated fixed  
period.

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18. A data transmitting apparatus comprising:

judge means for judging if the transmission packets which a  
receiving apparatus receives from a transmission route passes the timing to  
be outputted from said receiving apparatus;

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a counter for counting up the value when a transmitting  
apparatus sends one of said transmission packets and counting down the  
value when said judge means judges that each of said transmission packets  
passes the timing to be outputted from said receiving apparatus;

determination means for determining a transmission timing of  
each of said transmission packets so that said counted value does not exceed  
a fixed value; and

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transmission means for transmitting said data according to the  
transmission timing determined at said determination means.

19. A data transmitting apparatus comprising:  
transmission time stamp for generating transmission time stamp